

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

03-CR-6109L

v.

TERRANCE B.WHITE,

Defendant.

The Government filed its response to defendant's motion for reduction of sentence, pursuant to 18 U.S.C. § 3582(c)(2) on September 30, 2011. The defendant's motion and the Government's response was occasioned by the Second Circuit Decision remanding this case on July 18, 2011.

In his motion, the defendant suggested that the Court consider not only the lowered Guidelines for possession of cocaine base now in effect, but consider a further reduction that should be in effect on November 1, 2011, based on a further reduction of the Guidelines for cocaine base.

This Court will delay issuing a decision on this matter until after November 1, 2011, so that the Court can consider all of the changes to the Guidelines and so that the Court is not faced with a subsequent application for Mr. White.

Therefore, the Government should respond, in anticipation, within twenty (20) days of entry of this Decision as to its position on White's entitlement to a reduction pursuant to the November 1, 2011 Guidelines.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
October 3, 2011.